

Telecommunications Commission Meeting

Thursday, February 23, 2012

1. Call to Order 7:07 pm
2. Roll Call
 - a. The following members were present: William Surette, Tom Gregory, Russ Moulton, Jim Minor and John Lozano, along with Board of Supervisors member Gary Snellings, Hartwood District. Marie Schuler, of Comcast, Susan Rodgers of Cox, Cathy Vollbrecht, Shannon Howell and Bethany Miller, all Stafford County staff, were also present.
3. Presentations by the Public (3-minute limit) Mr. Lozano explained the TCC parameters.
 - a. Robin Ruth, of 76 Stony Hill Road, Fredericksburg, VA 22406 spoke about her interaction with Comcast regarding her lack of service. A copy of her remarks is attached to these minutes.
 - Mr. Lozano advised her that the only thing the TCC could do at the meeting was figure out what needs to be resolved, that the TCC could not get between Ms. Ruth and the provider.
 - Mr. Gregory asked what measurement Ms. Ruth used to figure out linear measurements.
 - Ms. Ruth stated she did multiple things. She drove from the last point of service (as given to her by Comcast) to her house, went on Google Maps and went on Zillow. Asa Hegel, also a resident of 76 Stony Hill Road, went on the County GIS system.
 - Mr. Greg asked if she had talked to homeowners in neighborhoods adjoining her property about getting an easement for cable. She said no.
 - Mr. Lozano asked if Marie Schuler, Comcast representative, had anything to offer
 - Ms. Schuler said no and stated she would be happy to look at the info and prepare a response. She said construction people had tried to contact Ms. Ruth.
 - Ms. Ruth disagreed with that.
 - Mr. Lozano said the TCC will check into it and see if it outside the boundaries of the franchise agreement.
 - Mr. Minor asked if Mr. Hegel had anything to add.
 - Mr. Hegel said no.
4. Minutes – Mr. Minor and Mr. Moulton made changes.
 - Mr. Gregory made a motion to approve the February minutes. Mr. Surette seconded it.
5. Agenda additions/adjustments
 - None.
6. Old Business –
 - a. Russ Moulton presented a comprehensive TCC process for addressing citizen Complaints or Inquiries, which he called CIs for short. His proposed CI Process included a Step-by-step process, with illustrating flowcharts and a template. He passed out hardcopy documents

documenting the CI process. These documents included: (1) proposed CI Process documenting the proposed step-by-step process for the residents, businesses, staff, TCC and Providers (2) proposed PPT flowchart illustrating this CI Process for internal Staff/TCC use (3) proposed PPT flowchart illustrating the CI Process for public dissemination, and (4) a proposed resident/business Infrastructure Business Plan (IBP) template for residents/businesses outside the Franchise Agreements to submit to Providers for Considerations. The proposed CI Process is designed to formalize and streamline the way we process all complaints and inquiries, but in particular, requests for service from Providers. It is designed to streamline and track request for service from a Provider, get responses back as to whether the request falls within the Franchise Agreement, and if not, offer the resident/business an opportunity to submit an IBP proposal to the Provider for consideration. IBPs would involve some County Staff IT and Planning Department data support to augment them.

- Mr. Surette said he thinks laying out the steps in writing will help people who come to meetings asking for help and want to walk away with something. He said he has grouped citizen issues into 11 different topics.
- Mr. Gregory said he really likes the idea of having citizens have somewhere to go before coming here or letting them know what to do if they can't fill out the form on the website.
- Mr. Moulton suggested it might be a good idea to make a County computer available just outside the TCC conference room to allow residents/or businesses after their Public Presentations enter a CI online.
- Bethany Miller, of Stafford County Economic Development pointed out the role of the Commission is not just to represent residents and the language on Mr. Moulton's template speaks exclusively to the residential population. She asked that the documents include the business community.
- Mr. Lozano wants to vote at a future meeting to accept these documents.
- Mr. Gregory would like to have some deadlines. He recommended that a committee to come up with a finalized product to produce to this committee.
- Members discussed the possible use of staff in facilitating the documents.
- Mr. Lozano stated that the language should read that the TCC creates the product and members will seek and get help where they can
- The need for a database was discussed.
- They talked about how to find the point of service (POS) with Mr. Moulton pointing out the importance of citizens knowing the POS is designated by the provider. Mr Moulton expressed continued concern that the TCC or County lacked a means to independently assess the POS.
- Mr. Lozano asked for volunteers to work on the template. Mr. Moulton and Mr. Minor volunteered.
- Mr. Lozano made a motion that the TCC establish a subcommittee to review and adopt the CI Process Mr. Moulton had proposed. Specifically, the sub-committee would pursue the development of tools for inquiry requesting

service or resolution of an inquiry including Mr. Moulton's four documents as starter stock not to exclude pursuit of an equal and effective process for business customers. Further, he put a timeline for the final submission to be put before the TCC in May and an interim report for March and April. He also wanted the solution to businesses being included in this template or being pursued separately by April.

- Mr. Gregory seconded it.
 - Everyone was in favor. Motion passed.
 - Mr. Gregory brought up the Shelton Shop Tower issue. He said in an email he received from Shannon Howell that it looked like the county administrator signed off on the lease eight years ago. He said typically a cellular site brings in between \$18,000 and \$36,000 a year per provider. Based on the number of carriers Mr. Gregory said he saw on the Shelton Shop Tower, he thinks Stafford County has foregone more than a million dollars in revenue.
 - Mr. Minor asked Mr. Gregory if he thought he could trace the document trail.
 - Mr. Gregory replied that the county does not have a mechanism to track what has happened.
 - Mr. Lozano said the only thing they can do is see if something in the documents is being violated and take it to the supervisors or county attorney. He said for the future they can make everything they have available for future TCC members and employees. He went further to say if they have a concern that the county is not taking advantage of making money, it's well within their right to talk with the supervisors or bring it before the whole board. He asked Mr. Gregory to craft a statement that the TCC be included in the process of any telecommunications issue the County spends money on.
 - Mr. Gregory agreed.
- b. Valerie Cottongim, Public Information Officer for Stafford County Public Schools, came to address the Commission at their invitation about SCPS policy towards students and their access to the Internet.
- She said all research is online these days. Students get assignments online. Teachers post homework and grades online. Libraries have cut back hours. She said in households without internet, it is very difficult. She assured the Commission that the internet is not the only way to get assignments.
 - She said Hartwood Elementary probably has the least access.
 - Ms. Cottongim said children have time at library, lunch, and before and after school to access the internet at school. High school kids can stay till 5 and take the activity bus to at least walking distance of their home.
 - Mr. Minor pointed out that students have could have problems with allocating their time missing an assignment.
 - Ms. Cottongim talked about "Turn It In", the web service the school system uses for students to turn assignments in after school hours. Students who don't have internet access do not have that option.

- Mr. Gregory asked if the school system takes into account that not every student has internet access and that we are trying to provide a level playing field.
 - Ms. Cottongim said internet access is not a requirement. Every student has an agenda to write assignments in and the assignments are put on the board every day.
 - Mr. Gregory thanked Ms. Cottongim for coming and answering questions.
 - Ms. Cottongim closed by saying internet access is a concern because that's the way society is going.
 - Mr. Lozano said he doesn't necessarily agree. He is concerned that we are at the point where families have to reschedule their time to get their child somewhere to have internet access. He says if we extend an opportunity for some children to turn in assignments after hours, it is a disadvantage for the child who can't.
- c. Bethany Miller, from Stafford County Economic Development, gave a short recap of the Telecommunications Summit held in February.
- There were 50 or 60 attendees.
 - From the discussion that took place, action items were created for county staff. The Econ. Dev. Committee has requested some time to examine the action items. Once they give their approval or provide additional input, county staff will move forward working with the providers so to better understand the business model. All of the providers seem very willing to work with county staff. At some point, Bethany Miller will come back to the committee and ask that the providers info be placed on the website.
 - Mr. Lozano asked if providers have a different contact for businesses than residents.
 - Both providers present said yes and said they would send him that info.
 - Lozano asked if businesses are stuck with the provider chosen by the last tenant. Marie says Comcast provides a package customized for individual businesses.

7. Discussion items:

- Mr. Lozano stated that he believes meetings are a place to share information and plan, not for work. He further discussed utilizing time in meetings.
- Mr. Moulton suggested focusing on those complaints they haven't heard anything on in several months.
- Mr. Lozano said the TCC is using language not necessarily understood by everyone and said the TCC should make a definitions list
- Mr. Gregory asked that all complaints prior to 2011 on the matrix in the Rock Hill District be removed.
- Mr. Gregory and Mr. Lozano discussed whether the complaints should be removed or not.
- Mr. Moulton suggested two improvements for the Complaint Matrix: (1) consolidating all complaints from the same sub-division into a single row, but showing all the names/addresses in a cell in that row and (2) allowing the spreadsheet to be sortable for

such that we the TCC need only review open Complaints (ones we've not heard from the Providers yet). He felt this would streamline the Matrix review for Staff and the TCC.

- Mr. Minor voiced his support for how Mr. Lozano runs the meetings.
- Mr. Lozano said he was taking it upon himself to find a way to archive documents for the public to access.
- Mr. Lozano asked for Ms. Schuler's side on Robin Ruth's issue.
- Marie Schuler stated that a survey has already been done on Mrs. Ruth's request. The original request came in through the county and was sent to the Comcast escalation team. Construction did do a survey. Customer service had many conversations with Mrs. Ruth. She has contacted our corporate headquarters many times. Ms. Schuler called Ms. Ruth and said she would check into it. Ms. Schuler was told it did not meet density by Comcasts' construction manager who did the survey. He will be contacting Ms. Ruth.
- Mr. Lozano asked the date of the survey.
- Ms. Schuler said she was sure it was within the last month.
- Mr. Lozano asked if there is something you could give to them, a survey, report or that gives them details.
- Ms. Schuler said that's what she told her she would do. that's what I told her what I would do
- Mr. Lozano moved to adjourn.
- Mr. Moulton seconded
- The meeting was adjourned at 9:30.

Appendix A – Robin Ruth's Comments From Her Written Statement

Good Evening:

I would like to express a concern about Comcast's business practices. This is pursuant to the complaints that I lodged that are number ID 99 and 105. Yesterday, I was advised by Comcast that they will not be providing me service. I explained to the representative that the Franchise agreement states calculations are based on a street mile. There are 19 houses between my home at 76 Stony Hill Road and 241 Stony Hill Road (the nearest home with Comcast cable per the construction supervisor who was in contact with the technician who visited my home). This home is 0.6 miles from my home. This is a density of 31.67 houses/street mile which is greater than the 20 houses per street miles described in the franchise agreement.

Ms. Schuler, as the Comcast representative, stated that she would be surprised if the franchise agreement was worded using a street mile. I provided her the clauses (Sections 1.33 – Definition of a Street Mile, and Section 2.06B – Area covered) along with the URL, she stated that Comcast would not be honoring that, and would not provide me service. It would cost them too much money. She then

told me the agreement only applies to television. When I told Ms. Schuler, then I want cable television, she refused me that service as well. Her comments were not meant to be helpful, only incendiary.

Comcast told me a month ago that my home was serviceable and advised me to buy a modem and take 2 hours off of work for an installation. I asked the Customer Service Representative, Tasha, multiple times to double check, including having my husband re-iterate to her that we had no service currently. She promised we could, and told us to buy the modem and schedule the installation. We did that, and now I have been fighting with Comcast ever since.

Ms. Schuler described the density as 10 houses/mile, but will not explain how Comcast has arrived at that calculation. She told me the construction manager would call me. That has not happened. In my telephone conversation with her last night, Ms. Schuler also stated that Comcast “misrepresented” that they would service my home. Through the use of “misrepresentation”, the flat denial that they would honor their franchise agreement, and their refusal to provide any form of justification or clarification of their calculations, I believe Comcast could have their franchise agreement revoked by Stafford County under sections 8.08A, 8.08B and 8.08C of the current franchise agreement. At the very least they should be fined.

I am only asking them to honor their agreements and promises. The same would be expected of me if the situation were reversed. This is why we sign contracts.

250 ft. mentioned in September, 2011 minutes are not in the definition in the franchise agreement and I ask it not be considered.